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47 L. Ed. 333, the *Lehigh Valley* case merely states that it was unnecessary in *Lord* v. *S. S. Co.*, supra, to base the decision on the commerce clause, and comments upon this last case with approval. The court in the instant case has evidently mistaken the state of the federal authorities on the question. Recognizing the rule that transportation from one point in a state to another point in the same state comes within the purview of the commerce clause, *Hanley* v. *Kas. Cy. Ry.. Co.*, supra, the court in the principal case attempts to distinguish between the high seas and the territory of another state or nation. This distinction seems technical and unsound, and it is submitted that the position taken by the federal courts is the better. Navigation of the high seas is permitted citizens of this nation because of the fact that they are citizens of the nation as a nation, and because that nation has equal rights upon the high seas with the other powers. The federal government alone is responsible to the other powers for the conduct of its citizens, and its authority directly to regulate should be plenary.

CONSTITUTIONAL LAW—EIGHT HOUR LAW—MUNICIPAL CORPORATION.—OREGON LAWS 1913, p. 90, provide that eight hours shall constitute a day's labor in all cases where the state, county, school district, or any municipality, municipal corporation or subdivision is the employer of the labor, either directly or indirectly by contract with another. The constitutionality of this act was questioned upon an application for a writ of habeas corpus by one arrested for a violation of the act. *Held*, that the act was constitutional. *Ex parte Steiner*, (Ore. 1913), 137 Pac. 204.

There is a sharp conflict of authority as to the validity of statutes similar to the one upheld in the principal case. DILLON, MUN. CORPS. §118. The distinction is often made between direct and immediate employees of a city and those employed by a contractor on public works; *Ryan* v. *City of N. Y.*, 177 N. Y. 271, in which PARKER Ch.J. distinguishes *Rodger's Case*, 166 N. Y. 1; and in the same case O'BRIEN J. in a dissenting opinion attempts to distinguish between officers of a city and employees of a city, considering the latter as agents of the city. And so in *People Ex rel Cossey* v. *Grout*, 179 N. Y. 417, 72 N. E. 464; *Ex parte Kuback*, 85 Cal. 274, 24 Pac. 737, 20 Am. St. Rep. 226, 9 L. R. A. 482; *Cleveland* v. *Clement Bros. Constr. Co.*, 67 Oh. St. 197, 65 N. E. 885, 93 Am. St. Rep. 670, 59 L. R. A. 775. Statutes regulating hours of labor of those employed by contractors upon municipal work were held invalid upon the theory that they constituted an interference with the constitutional right of persons to contract with reference to their services, where such services are neither unlawful nor against public policy. In *People* v. *Matz*, 193 N. Y. 149, 85 N. E. 1070, 24 L. R. A. (N. S.) 20, it was held that the amendment of 1905 to the Constitution of New York gave the legislature the power to legislate as to those employed by contractors on public works. But in *U. S.* v. *Martin*, 94 U. S. 400, 24 L. Ed. 128; *Ellis* v. *U. S.*, 206 U. S. 246, 51 L. Ed. 1047, 27 Sup. Ct. 600; *State* v. *Atkin*, 191 U. S. 207, 48 L. Ed. 148, 24 Sup. Ct. 124; *In re Broad*, 36 Wash. 449, 78 Pac. 1004, 70 L. R. A. 1011; *State* v. *Livingston Concrete Bldg. & Mfg. Co.*, (Mont.) 87 Pac. 980, it was held that the legislature could impose

whatever condition it might will upon those who desired to contract to furnish labor for the city, a subdivision of the state, for which no one had an absolute right to perform labor. It would seem that the principal case is based upon logically sound legal principles.

CONSTITUTIONAL LAW—INTERSTATE COMMERCE—DUE PROCESS—"FULL CREW" ACT.—The Act of June 19, 1911, Pa. P. L. 1053, commonly known as the "Full Crew Act", provided for the management of trains requiring the crews to be composed of a certain number. The appellants filed a bill to enjoin the appellees, the Pennsylvania State Railroad Commission, from enforcing this act on the ground that it was unconstitutional and void, in that property would be taken without due process of law, a compliance with the act would necessarily result in a great expenditure of money, and also because it constituted an interference with interstate commerce. *Held,* that the act was constitutional. *Pennsylvania Railroad Co.* v. *Ewing et al.* (Pa. 1913) 88 Atl. 775.

The decision in the principal case that the act is within the police power of the State and not an interference with interstate commerce is in harmony with the holdings of the United States Supreme Court; *N. Y., N. H., & H. R. Co.* v. *N. Y.*, 165 U. S. 628, 17 Sup. Ct. 418, 41 L. Ed. 853, forbidding the heating of cars by stoves; *Smith* v. *Alabama,* 124 U. S. 465, 8 Sup. Ct. 564, 31 L. Ed. 508; *Nashville, C. & St. L. R. Co.* v. *Alabama,* 128 U. S. 96, 9 Sup. Ct. 28, 32 L. Ed. 352, requiring examination of engineers; and *Chic., R. I. & Pac. R. Co.* v. *Arkansas,* 219 U. S. 453, 31 Sup. Ct. 275, 55 L. Ed. 290, which sustained a "full crew" act; and *Pitts., Cin., Chic. & St. L. Ry. Co.* v. *Indiana,* 223 U. S. 713, upholding, without opinion, a like statute of Indiana. That uncompensated obedience to laws passed in the valid exercise of police power is not a taking of property without due process of law, as held in the principal case, was decided by *New Orleans Gaslight Co.,* v. *Drainage Commission,* 197 U. S. 453, 25 Sup. Ct. 471, 49 L. Ed. 831; *Chic. B. & Q. R. R.* v. *Chicago,* 166 U. S. 226, 17 Sup. Ct. 581, 41 L. Ed. 979; *Detroit, Ft. W. & B. O. Ry. Co.* v. *Osborn,* 189 U. S. 383, 23 Sup. Ct. 540, 47 L. Ed. 860; *N. Pac. Ry. Co.* v. *Minn. ex rel. Dutulh,* 208 U. S. 583, 28 Sup. Ct. 341, 52 L. Ed. 630. The charge is sometimes made that the courts have often in the past usurped the function of the legislature and declared invalid an exercise of police power because of unreasonableness and inexpediency in a particular case. Yet in the principal case, though the appellant clearly showed that large expenditures would be necessary to comply with an act of very doubtful efficacy, the court (although other courts have been led astray by far weaker arguments) did not deviate from the sound constitutional doctrine that the question of expediency is for the legislature. COOLEY, CONST. LIM., c. 7, § 4 (6th Ed. 1890, pp. 197-201); *Jacobson* v. *Mass.,* 197 U. S. 11, 25 Sup. Ct. 358, 49 L. Ed. 643, 3 Ann. Cas. 765; *McLean* v. *Arkansas,* 211 U. S. 539, 29 Sup. Ct. 206, 53 L. Ed. 315.

CORPORATIONS—DISSOLUTION ON SUIT OF A MINORITY STOCKHOLDER.—Plaintiff, a minority stockholder of the defendant corporation, brought suit to have the corporation dissolved on the ground that circumstances had